

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
COLUMBUS DIVISION

THE BUCKEYE INSTITUTE,

Plaintiff,

v.

INTERNAL REVENUE SERVICE;
DOUGLAS O'DONNELL, in his
official capacity as Acting
Commissioner of Internal Revenue;
UNITED STATES DEPARTMENT
OF THE TREASURY; and JANET
YELLEN, in her official capacity as
Secretary of the Treasury,

Defendants.

No. 2:22-cv-4297-MHW-EPD

DEFENDANTS' UNOPPOSED MOTION TO EXCEED PAGE LIMIT

The United States of America, on behalf of all defendants, seeks leave to file a memorandum in support of its motion to dismiss the Complaint of up to thirty pages. While the Court's standing order provides a presumptive limit of twenty pages, the order contemplates an expansion of the limit in extraordinary circumstances. The Complaint asserts that a provision of the Internal Revenue Code, 26 U.S.C. § 6033(b)(5), is unconstitutional as a violation of the First Amendment. Due to the importance of the issues raised by the Complaint and the necessity of providing a complete discussion of those issues, the United States respectfully requests leave to file a memorandum not to exceed thirty pages. The United States further requests that Plaintiff be permitted a similar page limit in respect of their response memorandum.

The undersigned consulted with Plaintiff's counsel, who indicated that they do not oppose this motion provided they are afforded the same relief. The United States is submitting a proposed order in accordance with Local Rule 7.3.

Respectfully submitted,

UNITED STATES OF AMERICA

By: /s/ Arie M. Rubenstein
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